

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

V.

STEFAN HRVATIN,

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§

**CRIMINAL NO.
4:22-CR-00612(5)**

**UNOPPOSED
MOTION FOR LEAVE TO FILE AND ADOPT
CO-DEFENDANTS' MOTIONS TO DISMISS**

TO THE HONORABLE ANDREW S. HANEN, U.S. DISTRICT JUDGE

Stefan Hrvatin, Defendant, is named in Counts 1, 14 and 15 of the Superseding Indictment.

I.

Various co-defendants have filed Motions to Dismiss, and others have filed motions to adopt those motions. The co-defendant's Motions to Dismiss were filed on or before May 12, 2023, the deadline set in the scheduling order. These Motions extensively brief and argue that the Superseding Indictment should be dismissed. These are frontal attacks on the government's Superseding Indictment and raise many of the same or nearly identical issues.

II.

Hrvatin respectfully asks for leave to file this motion for leave to adopt, today, the second business day after the co-defendant Motions, after reading them over the weekend and yesterday. This motion to adopt specifically adopts the following pleadings, identified by defendant, docket number and date of filing.

Date	Defendant	Docket Number
May 10, 2023	Edward Constantinescu	262
May 12, 2023	Mitchell Hennessey	265
May 12, 2023	John Rybarczyk	267
May 12, 2023	Perry “PJ” Matlock	269

III.

Hrvatin asks leave to adopt the legal arguments and authorities developed in these Motions to Dismiss, to the extent those motions challenge the pleadings in counts 1, 14 and 15, in which he is named. Hrvatin raises no new arguments or authorities.

Granting this motion will serve the interests of justice, judicial economy and efficiency, and will not prejudice the government.

As stated in the Motions to Adopt already on file (#262 and #268), the Court has the inherent authority to allow Hrvatin to adopt these Motions to Dismiss without re-arguing the claims and cases already presented.

IV.

Counsel for Hrvatin has conferred with AUSA Thomas Carter. The government is Unopposed to this Motion.

V.

To assist the Court, a proposed order is attached.

Respectfully submitted,

/s/ Edward Mallett
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ATTORNEY FOR DEFENDANT
STEFAN HRVATIN

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing Motion has been furnished to the Assistant U.S. Attorneys assigned to this case and for counsel for all co-defendants via the Court's ECF system on the 16th day of May, 2023.

/s/ Edward Mallett
Edward Mallett